

**Planning Commission Hearing Minutes
November 13, 2012**

PC MEMBERS	PC MEMBERS ABSENT	STAFF PRESENT
Meta Nash Josh Bokee Alderman Russell Rick Stup Bill Ryan	Kate McConnell	Gabrielle Dunn-Division Manager for Planning Joe Adkins-Deputy Director for Planning Pam Reppert-City Planner Jeff Love-City Planner Devon Hahn-City Traffic Engineer Scott Waxter-Asst. Assistant City Attorney Carreanne Eyler-Administrative Assistant

I. ANNOUNCEMENTS:

Mrs. Dunn stated tomorrow, November 14th there will be 2 workshops relating to Form Base Codes at 3 p.m. & 7 p.m. at the Municipal Annex Building. She mentioned that on November 19th is the Planning Commission Workshop and one of the topics for discussion is Master Plan revisions amendments to Section 310 of the LMC. Lastly, there is a workshop with the Mayor & Board on Tuesday, November 20th where they will be discussing the Golden Mile Small Area Plan.

II. APPROVAL OF MINUTES:

Approval of the **October 8, 2012** Planning Commission Meeting Minutes as amended:

MOTION: Commissioner Stup.

SECOND: Alderman Russell.

VOTE: 4-0. (Commissioner Bokee not present)

Approval of the **October 15, 2012** Planning Commission Workshop Minutes as amended:

MOTION: Commissioner Stup.

SECOND: Commissioner Ryan.

VOTE: 4-0. (Commissioner Bokee not present)

Approval of the **November 5, 2012** Planning Commission Special Workshop Minutes as amended:

MOTION: Commissioner Stup.

SECOND: Commissioner Ryan.

VOTE: 4-0. (Commissioner Bokee not present)

Approval of the **November 9, 2012** Pre-Planning Commission Meeting Minutes as amended:

Minutes were tabled until December 10, 2012 Planning Commission Hearing.

III. PUBLIC HEARING-SWEARING IN:

"Do you solemnly swear or affirm that the responses given and statements made in this hearing before the Planning Commission will be the whole truth and nothing but the truth." If so, answer "I do".

IV. PUBLIC HEARING-CONSENT ITEMS:

(All matters included under the Consent Agenda are considered to be routine by the Planning Commission. They will be enacted by one motion in the form listed below, without separate discussion of each item, unless any person present – Planning Commissioner, Planning Staff or citizen -- requests an item or items to be removed from the Consent Agenda. Any item removed from the Consent Agenda will be considered separately at the end of the Consent Agenda. If you would like any of the items below considered separately, please say so when the Planning Commission Chairman announces the Consent Agenda.)

Commissioner Bokee arrived (6:07).

V. MISCELLANEOUS:

A. PC12-609PCM, Planning Commission Modification, Monocacy Canning

Ms. Reppert entered the entire staff report into the record. There was no public comment on this item.

Planning Commission Action:

MOTION: Commissioner Stup moved to approve PC12-609PCM, Monocacy Canning for the modification requested finding that it does meet the 3 criteria in the staff report and approve the Certificates of Urban Design Compliance, Certificate of Architectural Compliance in accordance with the staff report and testimony this evening.

SECOND: Commissioner Bokee.

VOTE: 5-0.

B. Implementation of The Sustainable Growth & Agricultural Preservation Act of 2012

Mr. Davis entered the entire staff report into the record. There was no public comment on this item.

Planning Commission Action:

MOTION: Commissioner Stup moved for a favorable recommendation to the Mayor & Board of Alderman for the Implementation of The Sustainable Growth & Agricultural Preservation Act of 2012 with the map and text accordingly to include the Crum and Keller annexations.

SECOND: Commissioner Bokee.

VOTE: 5-0.

VI. NEW BUSINESS:

C. PC12-654ZTA, Text Amendment, Demolition Review

Mrs. Murphy entered the entire staff report into the record. There was no public comment on this item.

Planning Commission Action:

MOTION: Commissioner Stup moved for a favorable recommendation to the Mayor & Board of Aldermen for the revisions and include a request to the Mayor & Board of Alderman consider expanding Section 423 (a) (1) A to include items other than the entire structure and authorize the chair to add specific verbiage for the consideration.

SECOND: Commissioner Bokee.

VOTE: 5-0.

D. PC11-493PND, Request for Reconsideration, Worman's Mill Master Plan

Mrs. Dunn entered the entire staff report into the record. There was no public comment on this item.

| **MOTION:** No Motion offered for reconsideration.

E. PC11-496FSI, Final Site Plan, Worman's Mill Village Center

Mr. Love entered the entire staff report into the record. Public comment was received.

Lisa Boyle of 2463 Merchant Street presented the Planning Commission with a letter for the public record of her testimony. She briefly summarized her concerns and opposition to the project. She stated that the plan is different than she was expecting and also has a concern about the value of her property.

Chris Izzo of 2474 Five Shillings Road stated that he feels that traffic is lacking and it will affect the roads. He has concerns about parking and pointed out the ZBA voted for the public and feels that the decision for this case should be postponed.

Katie Phillips of 2203 Parish Lane presented the Planning Commission for the public record a handout of reason to object the assisted living facility. She opposes of the Parcel A, Block H but pointed out recommendations from the handout what the Planning Commission should take into consideration.

- Make the facility smaller, parking is adequate for a 40 bed care facility
- Parking lot entrance will add more congestion
- The parking lot needs better buffering
- Institutional Land Use is inappropriate

Thomas Gill of 2511 Waterside Drive stated that he has concerns of the density for the project. He feels the project will harm the property owners it will have infringement on light, air and the quiet enjoyment of the property. He is opposed of the proposed project.

Drex Ryburg of 2205 Garden Lane feels that the entire scope of the project has increased. He has concerns regarding density, parking and traffic. He opposes of the project as proposed.

Dan Grauman of 2471 Five Shillings Road submitted a letter for the public record. It stated the legal process of this case. He is opposed of the project as proposed.

Joan Grauman of 2471 Five Shillings Road stated that she concurs with all the other previous speakers.

Gloria Gilbert of 2443 Merchant Street stated that read a letter she submitted into the record. She is opposed to the project as proposed.

Victoria Myers of 2450 Five Shillings Road stated that she concurs with everyone that has spoken this evening.

Charles Phillips of 2203 Parish Lane stated that he hopes the Planning Commission will reject the plan if not, make the apartments proposed as age restricted with certain amenities.

Bob Logan of 2592 Bear Den Road submitted a letter and summarized it for the public record. He feels that this project should be continued.

Donna Logan of 2592 Bear Den Road concurs with her neighbors. She stated they will lose quality of life and home values will go down. There will be increased traffic. She opposes the project as proposed.

Kathleen Simon of 2227 Lamp Post Lane stated she would like see the supporters of this project that the applicant has. She has concerns about the club house and what standards will be met for the residents to use. She doesn't like the process and that the public should be involved at the beginning. She is opposed of the project.

Ron Young of 409 Culler Avenue explained how the project was proposed. He feels that if the commission wanted to reconsider this project they could. He stated that if the Planning Commission should approve something he would hope that they would require the non-residential to be built first. He is opposed of the project as proposed.

Fran Denmark of 2520 Waterside Drive stated she is in support of the project.

Scott Shephardson 2213 Parish Lane stated that he has big concerns regarding traffic. He is opposed of the project.

Dr. Wayne Ledbetter of 2646 Monocacy Ford Road stated that he supports all that was said this evening in opposition of the project.

Brad Vorac of 2210 Bear Den Road stated that he concurs with his neighbors. He has concerns with snow removal as well. He is opposed of project.

Planning Commission Action Per Section 16.10.9:

MOTION: Commissioner Stup made a motion to approve a modification for Section 16.10.9 to permit on street parking to be utilized to satisfy required onsite parking in accordance with the staff report and testimony this evening and previously.

SECOND: Commissioner Ryan.

VOTE: 4-1. (Commissioner Bokee opposed)

Planning Commission Action Per Section 14.09:

MOTION: Commissioner Stup moved to approve the modification of Section 14.09 to allow for a 4' setback as permitted under 16.10.5 in accordance with the staff report and testimony this evening and previously.

SECOND: Commissioner Ryan.

VOTE: 5-0.

Planning Commission Action Per Section 13.03.1:

MOTION: Commissioner Stup moved to approve the modification to the access separation requirements of Section 13.03.1 for multiple access points as shown as permitted under 13.03.2 in accordance with the staff report and testimony this evening and previously.

SECOND: Commissioner Ryan.

VOTE: 4-1. (Commissioner Bokee opposed)

Planning Commission Action Per Section 7.05.6D:

MOTION: Commissioner Stup moved to approve the modification to allow for open, covered or uncovered stairways, stoops and ramps to project into any yard without limitation except for structures which may obscure sight distance as permitted under Section 7.05.6D in accordance with the staff report and testimony this evening and previously.

SECOND: Commissioner Ryan.

VOTE: 5-0.

Planning Commission Action Per Section 11.06:

MOTION: Commissioner Stup moved to approve the modification from Level I screening requirement under Section 11.05.3.a to provide no screening along common lot lines of properties within the Village Center as permitted under Section 11.06 in accordance with the staff report and testimony this evening and previously.

SECOND: Commissioner Ryan.

VOTE: 5-0.

Planning Commission Action Per Section 11.05.5.a.1:

MOTION: Commissioner Stup moved to approve the modification from the Level I and Level III screening under Section 11.05.5.a.1 to provide no screening for parking lots along common lines of properties within the Village Center as permitted under Section 11.06 in accordance with the staff report and the testimony this evening and previously.

SECOND: Commissioner Ryan.

VOTE: 5-0.

Planning Commission Action for Architectural Elevations:

MOTION: Commissioner Stup moved for the approval of the architectural elevations as provided in accordance with the staff report and testimony this evening and previously.

SECOND: Commissioner Ryan.

VOTE: 4-1. (Commissioner Bokee opposed)

Planning Commission Action for PC11-496FSI:

MOTION: Commissioner Stup moved for conditional approval of the final site plan PC11-496FSI in accordance with the staff recommendations and testimony this evening and previously with the 10 conditions to be met in less than 60 days with an 11th condition added that the developers establish a parking pass program or restricted parking signage acceptable to staff for Parcel A Block I and to be noted on the site plan as well as the 5 conditions to be met in greater than 60 days and within 1 year.

SECOND: Commissioner Ryan.

VOTE: 4-1. (Commissioner Bokee opposed)

F. PC11-494PSU, Preliminary Subdivision Plan, Worman's Mill Village Center

Mr. Love entered the entire staff report into the record. There was no public comment on this item.

MOTION: Commissioner Stup moved for conditional approval of PC11-494PSU with the 5 conditions to be met in less than 60 days and in accordance with the staff report and testimony this evening and previously.

SECOND: Commissioner Ryan.

VOTE: 4-1. (Commission Bokee opposed)

G. PC11-495PFCP, Preliminary Forest Conservation Plan, Worman's Mill Village Center

Mr. Love entered the entire staff report into the record. There was no public comment on this item.

MOTION: Commissioner Stup moved for the approval of PC11-495PFCP as submitted in accordance with the staff report and testimony this evening and previously.

SECOND: Commissioner Ryan.

VOTE: 5-0.

H. PC11-668PSU, Preliminary Subdivision Plan, Worman's Mill (Mill Island Section 7-10)

Mr. Love entered the entire staff report into the record. There was no public comment on this item.

Planning Commission Action Per Section 16.13:

MOTION: Commissioner Stup moved to the modification to allow the use of a "modified minor arterial right-of-way with 10' median" as identified on the plan as permitted under Section 16.13 in accordance with the staff report and testimony this evening and previously.

SECOND: Commissioner Ryan.

VOTE: 5-0.

Planning Commission Action for PC11-668PSU:

MOTION: Commissioner Stup moved for the conditional approval of PC11-668PSU with the 3 conditions to be met in less than 60 days in accordance with the staff report and testimony this evening and previously.

SECOND: Commissioner Ryan.

VOTE: 5-0.

There was no further business.

Meeting adjourned at 10:40 P.M.

Respectfully Submitted,

Carreanne Eyler
Administrative Assistant

APPROVED 12-10-2012